

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 326 of 2019**

Smt. Shail Jaiswal, W/o Virendra Kumar Jaiswal, aged 58 years, R/o Infront of Sharda Gas Service, Old High Court Road, Bilaspur (C.G.) (Plaintiff)

----Petitioner**Versus**

1. State of Chhattisgarh, through Collector, Bilaspur (C.G.)
2. Deputy Director, Drugs and Cosmetic Department, Bilaspur (C.G.)
3. Ku. Timiranta Jaiswal, S/o Badri Jaiswal, aged about 32 years, R/o Old High Court Road, Bilaspur, Fairdeal Medicos, Mission Hospital, Tahsil and District Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Mr. Malay Kumar Shrivastava, Advocate.
For Respondents No. 1 & 2	:	Mr. Akash Pandey, Panel Lawyer.
For Respondent No.3	:	Mr. Rajeev Bharat, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****25/04/2019**

(1) By the impugned order dated 04.04.2019, the plaintiff's application filed under Order 7 Rule 14 of the Code of Civil Procedure for taking documents on record has been rejected by the trial Court against which this writ petition has been preferred.

(2) Learned counsel appearing for the petitioner would submit that the impugned order is bad and unsustainable in law as the documents sought to be produced are necessary for just and proper disposal of the suit and, therefore, the impugned order be set aside.

(3) On the other hand, counsel for respondent No. 3 would submit that the aforesaid documents are not relevant for just and proper disposal of the suit.

(4) I have heard learned counsel for the parties and perused the impugned order.

(5) Since the documents filed by the petitioner/plaintiff appears to be necessary for just and proper disposal of the suit, it is therefore directed to be taken on record subject to

payment of cost of Rs.2,000/- to the defendant No. 3. However, the witnesses examined on behalf of the plaintiff/petitioner shall not be re-examined as stated by learned counsel for the petitioner.

(6) With the aforesaid observation, the writ petition stands disposed of.

Certified copy by tomorrow.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

